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Attorney Docket No. 263.PC
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Chen et al

Serial No.: 10/687,374

Group No.: 1625

Filed: October 15, 2003

Evelyn M. Huang

For: PRE-ORGANIZED TRICYCLIC INTEGRASE INHIBITOR COMPOUNDS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is

- ☐ a small entity - verified statement:
☐ attached.
☐ already filed.
☒ other than a small entity.

CERTIFICATE OF MAILING (37 CFR 1.8 (a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: September 30, 2004

Vicki Collins
(Type or print name of person mailing paper)

Vicki Collins
(Signature of person mailing paper)

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply

- (a) ☒ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17 (a)-(d)) for the total number of months checked below:

	<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/>	one month	\$110.00	\$55.00
<input type="checkbox"/>	two months	\$420.00	\$210.00
<input type="checkbox"/>	three months	\$950.00	\$475.00
<input checked="" type="checkbox"/>	four months	\$1,480.00	\$740.00
		Fee \$	<u>1,480.00</u>

If an additional extension of time is required please consider this a petition therefor.

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.



FEE FOR CLAIMS

4. The fee for claims (37 CFR 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	OR RATE ADDIT. FEE
TOTAL *	64	MINUS **	79	=	X 9 = \$		X18= \$
INDEP. *	6	MINUS **	6	=	X43= \$		X86= \$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+145= \$		+290= \$

TOTAL
ADDIT. FEE \$ OR TOTAL
ADDIT. FEE \$

(c) ☒ No additional fee for claims is required.

OR

(d) ☐ Total additional fee for claims required \$ _____

FEE PAYMENT

5. ☐ Attached is a check in the sum of \$ _____

☒ Charge Account No. 07-1250 the sum of \$ 1,480.00

A duplicate of this request is attached.

FEE DEFICIENCY

6. Authorization to Charge Additional Fees

☒ The Commissioner is hereby authorized by this document to charge any additional fees which may be required by this paper and during the entire pendency of this application to Account No. 07-1250, except the issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311 (b).

Reg. No. 35,071

Tel. No.: (650) 522-5569

CUSTOMER NO.: 25000


SIGNATURE OF ATTORNEY

Mark L. Bosse

Type or print name of attorney

Gilead Sciences, Inc.

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P.O. Address

Foster City, CA 94404



I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date:

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of)	Group Art Unit: 1625
)	Attorney Docket No. 263.PC
Chen, et al.)	Examiner: Huang, E.M.
)	
Serial No: 10/687,374)	
)	
Filed: October 15, 2003)	
)	
Title: Pre-Organized Tricyclic Integrase)	
<u>Inhibitor Compounds</u>)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is responsive to the Patent and Trademark Office action mailed June 24, 2004. A request for a FOUR MONTH extension of time is submitted herewith, whereby the time for response expires on October 24, 2004.

Group I, Claims 1-63, and 68 are elected for examination. The individual species of compound 149 of Claim 48, page 393 is elected. Claims 64-67 and 69-79 are cancelled in this response.

Amendment

In view of the requirement for restriction/election, and under the protection of 35 U.S.C. §121, please cancel Claims 64-67 and 69-79 without prejudice to Applicants' rights to pursue the canceled subject matter in divisional/continuation applications.

Restriction/Election Requirement

The Office has required election of a single species for examination.

Election

Applicants provisionally elect the subgenus of Claim 48 and in particular the compound 149 found at page 393.

Request for a Telephonic Interview

If the Examiner deems it useful, Applicants request, at the Examiner's convenience, a telephonic interview with Mark Bosse at (650) 522-5569 for the purpose of expediting the allowance of the present Application.

Respectfully submitted,



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Dated: 9/30/04